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July 29, 2004

TO: Examiner Lee S. Cohen

FIRM: U.S. Patent & Trademark Office

DOCUMENT: Letter dated July 28, 2004

FROM: Stephen A. Slusher

TOTAL NUMBER OF PAGES (INCLUDING COVER SHEET): 4

FAX NO.: 703-872-9306

MESSAGE

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CLIENT # 41145
MATTER # 1001

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July 29, 2004

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Art Law

Examiner Lee S. Cohen
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

RE: U.S. Patent Application No. 09/895,623

For: *Apparatus for Rapid Cooling of the Brain and Method of Performing Same*

Inventor: George R. Schwartz

Dear Mr. Cohen:

The Office Action Summary of July 19, 2004, requires that a statement as to loss or inaccessibility of the original patent, or the original patent, be filed. A Statement as to Loss of Original Patent was filed with an Amendment on December 2, 2003. A copy of the signed Statement and postcard acknowledging receipt is submitted with this facsimile.

Best regards,

Stephen A. Slusher, Reg. No. 43,924
Direct Line: (505) 998-6130

Enc.

G:\Susan\corres\schwartz-exam.doc

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The RECEIVED stamp of the U.S. Patent and Trademark Office hereon acknowledges receipt of the following paper:

AMENDMENT
(PATENT)

Applicant: George R. Schwartz

For: Apparatus for Rapid Cooling of the Brain and Method of Performing Same

S/N: 09/895,623

Filing Date: June 27, 2001

Contents: Amendment ; Reissue Patent Application

Statement as to Loss of Original Patent; postcard.

Attorney: Stephen A. Slusher; Reg. No.: 43,924

Date: December 2, 2003

Approved for use through 01/31/2005
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**REISSUE PATENT APPLICATION
STATEMENT AS TO LOSS OF ORIGINAL PATENT**

Docket Number (Optional)

41145-1001

I hereby state that:

I am the applicant for a reissue patent based on the original patent identified below.

Name of Inventor(s)/Assignee(s)

GEORGE R. SCHWARTZ

Patent Number

5,916,242

Title of Invention Apparatus for Rapid Cooling of the Brain and Method of

Reissue application number (if known)

Performing Surgery

The ribboned original patent grant is lost or inaccessible

Signature

George R. Schwartz MD

Printed name

GEORGE R. SCHWARTZ

Date

December 1, 2003

(e.g. Inventor(s), officer of assignee)

Sole Inventor

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